

Edward W. Swanson (SBN 159859)
ed@smlp.law
Carly Bittman (SBN 305513)
carly@smlp.law
SWANSON & McNAMARA LLP
300 Montgomery Street, Suite 1100
San Francisco, California 94101
Telephone: (415) 477-3800
Facsimile: (415) 477-9010

Attorneys for Non-Party Target 1

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID WAYNE DEPAPE,

Defendant.

Case No. 3:22-CR-426-JSC

**STIPULATION AND [PROPOSED]
ORDER SHORTENING TIME**

Non-party Target 1¹ and defendant David Wayne DePape, by and through undersigned counsel, hereby stipulate and agree as follows:

1. Mr. DePape has served a trial subpoena on Target 1, and Target 1 has moved to quash that subpoena.

2. The pretrial conference in this matter is currently set for October 26, 2023, at 1 p.m. The parties respectfully request that the Court hear Target 1's motion to quash at the upcoming pretrial conference on October 26.

¹ "Target 1" a moniker that the Government used in the Indictment. *See* Dkt. No. 3. The parties have continued to use this moniker in their pretrial filings, and Target 1's true name has otherwise been redacted from the parties' prior filings in this matter. Dkt. Nos. 85, 97.

3. So that Target 1's motion to quash may be heard at the October 26 pretrial conference, Mr. DePape has agreed to file his opposition to the motion to quash on or before October 25, 2023, and Target 1 has agreed not to file a reply.

Dated: October 23, 2023

Respectfully submitted,

/s/
Edward Swanson
Carly Bitman
SWANSON & McNAMARA LLP
Attorneys for "Target 1"

/s/
Angela Chuang
Jodi Linker
Attorneys for Mr. DePape

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED. Mr. DePape shall file his opposition to Target 1's motion to quash on or before October 25, 2023. The Court shall hear argument on the motion on October 26, 2023, at 1 p.m.

Dated: _____

Hon. Jacqueline Scott Corley
United States District Court